

By the Committees on Rules; and Health Policy; and Senator Yarborough

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1 A bill to be entitled
2 An act relating to medical freedom; providing a short
3 title; repealing s. 9 of chapter 2023-43, Laws of
4 Florida, as amended by chapter 2025-114, Laws of
5 Florida, relating to the future repeal of the
6 definition of the term "messenger ribonucleic acid
7 vaccine"; amending s. 381.00315, F.S.; providing
8 construction; amending s. 456.0575, F.S.; requiring
9 certain health care practitioners and paramedics to,
10 before administering one or more vaccines to a minor
11 child, provide the parent or legal guardian with
12 specified materials; requiring such practitioners and
13 paramedics to obtain the signature of a minor child's
14 parent or guardian acknowledging receipt of such
15 information; requiring health care practitioners to
16 discuss certain information with a minor child's
17 parent or guardian when more than one vaccine is to be
18 administered; authorizing a health care practitioner,
19 at the request of the parent or guardian, to
20 administer the vaccines to the minor child over
21 multiple encounters; providing that specified
22 amendments made by the act to s. 456.0575, F.S., take
23 effect on a specified date or within a specified
24 timeframe after the Board of Medicine and the Board of
25 Osteopathic Medicine adopt certain materials by joint
26 rule, whichever occurs later; requiring the boards to
27 adopt the joint rule within a specified timeframe and
28 immediately notify the Division of Law Revision of
29 their adoption of the joint rule; creating ss.

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30 458.3351, 459.0156, and 464.0181, F.S.; providing
31 certain health care practitioners immunity from civil
32 and criminal liability and disciplinary action for
33 prescribing or administering ivermectin to adults
34 under certain circumstances; creating s. 465.1897,
35 F.S.; authorizing pharmacists to provide ivermectin to
36 adults without a prescription as a behind-the-counter
37 medication until the United States Food and Drug
38 Administration approves it for over-the-counter sale;
39 requiring pharmacists to provide specified information
40 before providing the ivermectin; providing pharmacists
41 acting in good faith with immunity from civil and
42 criminal liability and disciplinary action for
43 providing ivermectin to adults; authorizing the Board
44 of Pharmacy to adopt rules; amending s. 1003.22, F.S.;
45 revising exemptions from school-entry immunization
46 requirements; requiring the Department of Health to
47 make the immunization exemption form for religious or
48 conscience-based exemptions publicly available on its
49 website; specifying procedures and requirements for
50 receiving such exemptions; requiring the department to
51 ensure that when a certain exemption form is
52 downloaded from its website, the download includes the
53 form and specified materials as a single document;
54 providing that the requirement takes effect upon
55 adoption of a specified rule; requiring that the web
56 page containing the download link also include and
57 prominently display certain other links; revising
58 requirements and procedures for declarations of a

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communicable disease emergency; providing effective
dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Medical Freedom Act."

Section 2. Section 9 of chapter 2023-43, Laws of Florida, as amended by section 1 of chapter 2025-114, Laws of Florida, is repealed.

Section 3. Paragraph (d) of subsection (2) of section 381.00315, Florida Statutes, is amended to read:

381.00315 Public health advisories; public health emergencies; isolation and quarantines.—The State Health Officer is responsible for declaring public health emergencies, issuing public health advisories, and ordering isolation or quarantines.

(2)

(d) The State Health Officer, upon declaration of a public health emergency, may take actions that are necessary to protect the public health. Such actions include, but are not limited to:

1. Directing manufacturers of prescription drugs or over-the-counter drugs who are permitted under chapter 499 and wholesalers of prescription drugs located in this state who are permitted under chapter 499 to give priority to the shipping of specified drugs to pharmacies and health care providers within geographic areas identified by the State Health Officer. The State Health Officer must identify the drugs to be shipped. Manufacturers and wholesalers located in the state must respond to the State Health Officer's priority shipping directive before

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88 shipping the specified drugs.

89 2. Notwithstanding chapters 465 and 499 and rules adopted
90 thereunder, directing pharmacists employed by the department to
91 compound bulk prescription drugs and provide these bulk
92 prescription drugs to physicians and nurses of county health
93 departments or any qualified person authorized by the State
94 Health Officer for administration to persons as part of a
95 prophylactic or treatment regimen.

96 3. Notwithstanding s. 456.036, temporarily reactivating the
97 inactive license of the following health care practitioners,
98 when such practitioners are needed to respond to the public
99 health emergency: physicians licensed under chapter 458 or
100 chapter 459; physician assistants licensed under chapter 458 or
101 chapter 459; licensed practical nurses, registered nurses, and
102 advanced practice registered nurses licensed under part I of
103 chapter 464; respiratory therapists licensed under part V of
104 chapter 468; and emergency medical technicians and paramedics
105 certified under part III of chapter 401. Only those health care
106 practitioners specified in this paragraph who possess an
107 unencumbered inactive license and who request that such license
108 be reactivated are eligible for reactivation. An inactive
109 license that is reactivated under this paragraph shall return to
110 inactive status when the public health emergency ends or before
111 the end of the public health emergency if the State Health
112 Officer determines that the health care practitioner is no
113 longer needed to provide services during the public health
114 emergency. Such licenses may only be reactivated for a period
115 not to exceed 90 days without meeting the requirements of s.
116 456.036 or chapter 401, as applicable.

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117 4. Ordering an individual to be examined, tested, treated,
118 isolated, or quarantined for communicable diseases that have
119 significant morbidity or mortality and present a severe danger
120 to public health. Individuals who are unable or unwilling to be
121 examined, tested, or treated for reasons of health, religion, or
122 conscience may be subjected to isolation or quarantine. For the
123 purposes of this subparagraph, the State Health Officer's
124 authority to treat or order treatment does not include the
125 authority to order a vaccination.

126 a. Examination, testing, or treatment may be performed by
127 any qualified person authorized by the State Health Officer.

128 b. If the individual poses a danger to the public health,
129 the State Health Officer may subject the individual to isolation
130 or quarantine. If there is no practical method to isolate or
131 quarantine the individual, the State Health Officer may use any
132 means necessary to treat the individual.

133 c. Any order of the State Health Officer given to
134 effectuate this paragraph is immediately enforceable by a law
135 enforcement officer under s. 381.0012.

136 Section 4. Section 456.0575, Florida Statutes, is amended
137 to read:

138 456.0575 Duty to notify patients.-

139 (1) ADVERSE INCIDENTS.-A ~~Every licensed~~ health care
140 practitioner shall inform each patient, or an individual
141 identified pursuant to s. 765.401(1), in person about adverse
142 incidents that result in serious harm to the patient.
143 Notification of outcomes of care that result in harm to the
144 patient under this section does not constitute an acknowledgment
145 of admission of liability, nor can such notifications be

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146 introduced as evidence.

147 (2) VACCINATIONS OF MINORS.—

148 (a) Each health care practitioner authorized by law to
149 administer vaccines, and each paramedic acting pursuant to s.
150 401.272, shall, before administering one or more vaccines to a
151 minor child, provide the parent or guardian with the following:

152 1. The most recently issued Vaccine Information Statement
153 published by the United States Centers for Disease Control and
154 Prevention pertaining to each vaccine being administered.

155 2. Materials approved and adopted by joint rule of the
156 Board of Medicine and the Board of Osteopathic Medicine relating
157 to the role of immunizations in communicable disease prevention.

158 (b) Before administering one or more vaccines to a minor
159 child, the health care practitioner or paramedic must obtain the
160 signature of the parent or guardian acknowledging receipt of the
161 information required under paragraph (a).

162 (c) When more than one vaccine is to be administered, the
163 health care practitioner shall discuss the timing of multiple
164 vaccinations with the child's parent or guardian and the
165 parent's or guardian's options for such timing before
166 administering the initial vaccination. At the request of the
167 parent or guardian, a health care practitioner may administer
168 vaccines to the minor child over multiple encounters.

169 (3) GOOD FAITH ESTIMATE OF CHARGES.—Upon request by a
170 patient, before providing nonemergency medical services in a
171 facility licensed under chapter 395, a health care practitioner
172 shall provide, in writing or by electronic means, a good faith
173 estimate of reasonably anticipated charges to treat the
174 patient's condition at the facility. The health care

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175 practitioner shall provide the estimate to the patient within 7
176 business days after receiving the request and is not required to
177 adjust the estimate for any potential insurance coverage. The
178 health care practitioner shall inform the patient that the
179 patient may contact his or her health insurer or health
180 maintenance organization for additional information concerning
181 cost-sharing responsibilities. The health care practitioner
182 shall provide information to uninsured patients and insured
183 patients for whom the practitioner is not a network provider or
184 preferred provider which discloses the practitioner's financial
185 assistance policy, including the application process, payment
186 plans, discounts, or other available assistance, and the
187 practitioner's charity care policy and collection procedures.
188 Such estimate does not preclude the actual charges from
189 exceeding the estimate. Failure to provide the estimate in
190 accordance with this subsection, without good cause, shall
191 result in disciplinary action against the health care
192 practitioner and a daily fine of \$500 until the estimate is
193 provided to the patient. The total fine may not exceed \$5,000.

194 Section 5. The amendments made by this act to s.
195 456.0575(2)(a) and (b), Florida Statutes, relating to
196 information that must be provided to parents or guardians before
197 the administration of a vaccination to a minor are effective
198 July 1, 2026, or 30 days after the Board of Medicine and the
199 Board of Osteopathic Medicine adopt by joint rule the
200 informational materials as required under s. 456.0575(2)(a),
201 Florida Statutes, as created by this act, whichever occurs
202 later. The Board of Medicine and the Board of Osteopathic
203 Medicine shall adopt the joint rule no later than 120 days after

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204 this act becomes a law and shall notify the Division of Law
205 Revision immediately upon their adoption of the joint rule. This
206 section takes effect upon becoming a law.

207 Section 6. Section 458.3351, Florida Statutes, is created
208 to read:

209 458.3351 Prescription or administration of ivermectin.—A
210 health care practitioner who is licensed under this chapter and
211 whose license includes prescribing authority is immune from
212 civil or criminal liability or disciplinary action for
213 prescribing or administering ivermectin to an adult in good
214 faith, in accordance with the applicable standard of care and in
215 accordance with this chapter and the rules pertaining to his or
216 her practice.

217 Section 7. Section 459.0156, Florida Statutes, is created
218 to read:

219 459.0156 Prescription or administration of ivermectin.—A
220 health care practitioner who is licensed under this chapter and
221 whose license includes prescribing authority is immune from
222 civil or criminal liability or disciplinary action for
223 prescribing or administering ivermectin to an adult in good
224 faith, in accordance with the applicable standard of care and in
225 accordance with this chapter and the rules pertaining to his or
226 her practice.

227 Section 8. Section 464.0181, Florida Statutes, is created
228 to read:

229 464.0181 Prescription or administration of ivermectin.—A
230 health care practitioner who is licensed under this chapter and
231 whose license includes prescribing authority is immune from
232 civil or criminal liability or disciplinary action for

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233 prescribing or administering ivermectin to an adult in good
234 faith, in accordance with the applicable standard of care and in
235 accordance with this chapter and the rules pertaining to his or
236 her practice.

237 Section 9. Section 465.1897, Florida Statutes, is created
238 to read:

239 465.1897 Sale of ivermectin without a prescription.—

240 (1) A pharmacist may provide ivermectin to a person 18
241 years of age or older without a prescription as a behind-the-
242 counter medication until the United States Food and Drug
243 Administration approves it for over-the-counter sale.

244 (2) Before providing ivermectin under this section, the
245 pharmacist shall provide the person with written information
246 regarding the indications and contraindications for ivermectin,
247 the appropriate dosage, and the need to seek follow-up care from
248 the person's primary care physician.

249 (3) A pharmacist acting in good faith is immune from civil
250 or criminal liability or disciplinary action for providing
251 ivermectin to an adult in accordance with this section.

252 (4) The board may adopt rules to implement this section.

253 Section 10. Subsections (5) and (9) of section 1003.22,
254 Florida Statutes, are amended to read:

255 1003.22 School-entry health examinations; immunization
256 against communicable diseases; exemptions; duties of Department
257 of Health.—

258 (5) A child is exempt from immunization requirements in
259 subsection (3) ~~The provisions of this section shall not apply~~
260 if:

261 (a) The parent of the child presents to the school, on a

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262 form adopted by rule of the Department of Health and made
263 available on its website, an attestation ~~objects in writing~~ that
264 the administration of immunizing agents conflicts with the
265 parent's ~~his or her~~ religious tenets or practices or conscience;

266 (b) A physician licensed under ~~the provisions of~~ chapter
267 458 or chapter 459 certifies in writing, on a form approved and
268 provided by the Department of Health, that the child should be
269 permanently exempt from one or more of the required
270 immunizations ~~immunization~~ for medical reasons stated in
271 writing, based upon valid clinical reasoning or evidence,
272 demonstrating the need for the permanent exemption;

273 (c) A physician licensed under ~~the provisions of~~ chapter
274 458, chapter 459, or chapter 460 certifies in writing, on a form
275 approved and provided by the Department of Health, that the
276 child has received as many immunizations as are medically
277 indicated at the time and is in the process of completing the
278 other required ~~necessary~~ immunizations;

279 (d) The Department of Health determines that, according to
280 recognized standards of medical practice, any required
281 immunization is unnecessary or hazardous; or

282 (e) An authorized school official issues a temporary
283 exemption, for up to 30 school days, to allow ~~permit~~ a student
284 who transfers into a new county to attend class until his or her
285 records can be obtained. Children and youths who are
286 experiencing homelessness and children who are known to the
287 department, as defined in s. 39.0016, shall be given a temporary
288 exemption for 30 school days. The public school health nurse or
289 authorized private school official is responsible for follow-up
290 ~~followup~~ of each such student until proper documentation or

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291 immunizations are obtained. An exemption for 30 days may be
292 issued for a student who enters a juvenile justice program to
293 allow ~~permit~~ the student to attend class until his or her
294 records can be obtained or until the immunizations can be
295 administered ~~obtained~~. An authorized juvenile justice official
296 is responsible for follow-up ~~followup~~ of each student who enters
297 a juvenile justice program until proper documentation is
298 obtained or immunizations are administered ~~obtained~~.

299
300 Upon making the exemption form referenced under paragraph (a)
301 available on its website, the Department of Health shall ensure
302 that when the form is downloaded, such download includes, as a
303 single document, the form and materials approved and adopted by
304 joint rule of the Board of Medicine and the Board of Osteopathic
305 Medicine under s. 456.0575(2)(a) relating to the role of
306 immunizations in communicable disease prevention. This
307 requirement shall take effect upon the adoption of the joint
308 rule. The web page containing the download link must also
309 include and prominently display a link or links to the United
310 States Centers for Disease Control and Prevention's current
311 Vaccine Information Statements.

312 (9) The presence of any of the communicable diseases for
313 which immunization is required under subsection (3) ~~by the~~
314 ~~Department of Health~~ in a Florida public or private school
315 authorizes ~~shall permit~~ the county health department director or
316 administrator or the State Health Officer to declare a
317 communicable disease emergency. The declaration of such
318 emergency must ~~shall~~ mandate that all students attending in
319 attendance in the school who have not been immunized against the

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320 diseases specified in subsection (3) or related Department of
321 Health rules ~~are not in compliance with the provisions of this~~
322 ~~section~~ be identified by the district school board or by the
323 governing authority of the private school,[†] and the school
324 health and immunization records of such children must ~~shall~~ be
325 made available to the county health department director or
326 administrator. ~~Those~~ Children who are identified as not having
327 been ~~being~~ immunized against the disease for which the emergency
328 has been declared must ~~shall~~ be temporarily excluded from school
329 attendance by the district school board, or the governing
330 authority of the private school, until ~~such time as is specified~~
331 ~~by~~ the county health department director or administrator
332 declares that the communicable disease emergency has ended.

333 Section 11. Except as otherwise expressly provided in this
334 act and except for this section, which shall take effect upon
335 this act becoming a law, this act shall take effect July 1,
336 2026.